

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52****[A-5-FRL 2413-2]****Approval and Promulgation of Air Quality Implementation Plans; Michigan****AGENCY:** Environmental Protection Agency.**ACTION:** Final rulemaking.

SUMMARY: The purpose of today's rulemaking is to approve Consent Order APC No. 06-1980 and alterations to the consent order for the General Motors Corporation, Central Foundry of the Chevrolet Motor Division, Saginaw Malleable Iron Plant, as a revision to the Michigan State Implementation Plan (SIP) for Saginaw County. Consent Order APC No. 06-1980 and its alterations, add interim and final particulate emission limits, extend the final date of compliance for the oil quench facilities, and clarifies the issue concerning stringency of particulate emission limits applicable to the induction furnaces. The emissions from this plant will not interfere with the maintenance of the primary or secondary total suspended particulates (TSP) national ambient air quality standards (NAAQS).

DATE: This action will be effective October 11, 1983, unless notice is received within 30 days that someone wishes to submit critical or adverse comments.

ADDRESSES: Copies of the revision and other materials relating to this rulemaking are available for inspection at the following addresses:

Environmental Protection Agency, Air and Radiation Branch, 230 South Dearborn Street, Chicago, Illinois 60604

Michigan Department of Natural Resources, Air Quality Division, 7150 Harris Drive, Lansing, Michigan 48909
Office of the Federal Register, 1100 L Street NW., Rm. 8401, Washington, D.C.

Public Information Reference Unit, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

Written comments on this action should be sent to: Gary Gulezian, Chief, Regulatory Analysis Section, Air and Radiation Branch, Region V, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT:

Toni Lesser, Regulatory Analysis Section, Air and Radiation Branch, Region V, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6377.

SUPPLEMENTARY INFORMATION: In the May 6, 1983, Federal Register (45 FR 29790) EPA approved, in part, the strategy developed by the State of Michigan for attaining the primary and secondary total suspended particulates (TSP) standards, as required under Part D of the CAA. EPA stated at that time, however, that source-specific Abatement Orders in the Saginaw, Flint, and Albion areas were to be submitted to EPA for review and approval as revisions to the Michigan SIP. For these areas, the strategy developed by the State of Michigan to ensure attainment of both the primary and secondary TSP standards requires reasonably available control technology (RACT) on the traditional point and fugitive sources of TSP and, where necessary, additional control on those traditional sources which have been identified as causing or contributing to the particulate problems in nonattainment areas. These additional control requirements are to be contained in enforceable Abatement Orders requiring emission reductions beyond the levels otherwise required by Michigan's particulate regulations.

On November 6, 1981, (46 FR 55108), pursuant to Section 107(d) of the CAA, EPA approved a change in the air quality attainment designation relative to the TSP NAAQS in Saginaw County. EPA reduced the size of both the primary and secondary TSP nonattainment areas.

On November 18, 1982, the State of Michigan resubmitted Consent Order APC No. 06-1980, along with alterations reflecting EPA's concerns for the General Motors Corporation (GMC) Central Foundry Division, Saginaw Malleable Iron Plant in the City of Saginaw, County of Saginaw as a revision to the Michigan SIP. The Central Foundry Division operates the Saginaw Malleable Iron Plant for GMC. The plant is located in a secondary TSP nonattainment area. EPA's earlier review of Consent Order APC No. 06-1980 submitted by the State of Michigan on June 19, 1980, raised several concerns regarding its approvability. EPA asked that the State amend the Consent Order to address those concerns.

Consent Order No. 06-1980, as amended for the Saginaw Malleable Iron Plant, reflects an interim and final particulate emission limit more stringent than Michigan's Rule 336.1331; extends the final date of compliance with

Michigan's Rule 336.1301 for opacity on the oil quench facilities from December 31, 1982, to December 15, 1983, which is as expeditiously as practicable and before the July 31, 1985 attainment date for the secondary TSP NAAQS in Michigan. In addition, the Consent Order contains a control program which requires the Central Foundry to control particulate emissions from several sources and satisfies the RACT requirement.

The emission limits contained in Consent Order No. 06-1980, as amended, meet the allowable emission limits as required in Michigan Rules 336.1301 and 336.1331.

EPA has reviewed Consent Order No. 06-1980, as amended, and based on its review, determined that: (1) The control program satisfies the RACT requirements and would yield an overall improvement to the TSP air quality level downwind of the plant; (2) the Consent Order provides an expected reduction of 55 percent TSP based on the plant's current emissions; (3) the particulate limit required for the induction furnaces is more stringent than the applicable SIP limit; and (4) the compliance date is expeditious and requires compliance before Michigan's attainment date for secondary TSP nonattainment areas.

Therefore, EPA approves Consent Order No. 06-1980, and alterations for the Central Foundry Division Saginaw Malleable Iron Plant as a revision to the Michigan SIP. EPA also believes that this Consent Order, as amended, contains enforceable emission limitations and control measures. EPA also believes that implementation of the measures stipulated in this Consent Order will provide a substantial air quality benefit in the Saginaw area.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under 5 U.S.C. Section 605(b), I have certified that SIP approvals do not have significant economic impact on a substantial number of small entities. (See 46 FR 8709)

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 14, 1983. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2)).

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxide, Nitrogen dioxides, Lead, Particulate matter, Carbon monoxide,

Hydrocarbons, Intergovernmental relations.

Note.—Incorporation by reference of the State Implementation Plan for the State of Michigan was approved by the Director of the Federal Register on July 1, 1982.

(Sec. 110, Clean Air Act, as amended (42 U.S.C. 7410))

Dated: August 4, 1983.

William D. Ruckelshaus,
Administrator.

Part 52 of Chapter 1, Title 40 Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Subpart X—Michigan

1. Section 52.1170 is amended by adding paragraph (c) (72) as follows:

§ 52.1170 Identification of plan.

(c) * * *

(72) On November 18, 1982, the State of Michigan submitted Consent Order APC No. 06-1980, along with alterations for the General Motors Corporation (GMC) Central Foundry Division, Saginaw Malleable Iron Plant in the City of Saginaw, County of Saginaw as a revision to the Michigan SIP. Consent Order No. 06-1980, as amended, reflects an interim and final particulate emission limit more stringent than Michigan's rule 336.1331; extends the final date of compliance with Michigan's Rule 336.1301 for opacity on the oil quench facilities from December 31, 1982, to December 15, 1983, which is as expeditiously as practicable and before the July 31, 1985, attainment date for the secondary TSP NAAQS in Michigan.

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40 CFR Part 52

[A-6-FRL 2413-3]

Approval and Promulgation of Oklahoma Regulation 3.8 (Control of Emission of Hazardous Air Contaminants)

AGENCY: Environmental Protection Agency.

ACTION: Final Rulemaking.

SUMMARY: This notice approves a SIP revision to Regulation 3.8 (Control of Emission of Hazardous Air Contaminants) which was submitted by the Governor on February 8, 1983. The revision adopts, by reference, EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) as

specified in Section 112 of the Clean Air Act of 1977. By this adoption, Oklahoma has acquired legal authority to enforce NESHAP violations under State law for both existing and new sources.

EFFECTIVE DATE: This action is effective on October 14, 1983, unless notice is received by (September 14, 1983) that someone wishes to submit adverse or critical comments.

ADDRESSES: Incorporation by reference materials is available for inspection during normal business hours at the following locations:

The Office of the Federal Register, 1100 L Street NW., Rm. 8401, Washington, D.C. 20460

Environmental Protection Agency, Public Information Reference Unit, EPA Library Rm. 2404, 401 M Street SW., Washington, D.C. 20460

Environmental Protection Agency, Region 8, Air Branch, 1201 Elm Street, Dallas, Texas 75270

Oklahoma State Department of Health, Air Quality Service, 1000 Northeast 10th Street, P.O. Box 53551, Oklahoma City, Oklahoma 73152

FOR FURTHER INFORMATION CONTACT:

Kathryn M. Griffith, State Implementation Plan Section, Environmental Protection Agency, Region 8, Air and Waste Management Division, Air Branch, 1201 Elm Street, Dallas, Texas 75270 (214) 767-9853.

SUPPLEMENTARY INFORMATION: On February 8, 1983, the Governor of Oklahoma submitted a SIP revision to Regulation 3.8 (Control of Emission of Hazardous Air Contaminants). The revision adopts, by reference, EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) as specified in Section 112 of the Clean Air Act of 1977.

EPA has determined that Regulation 3.8 is adequate for implementation and enforcement of the NESHAP requirements for both existing and new sources by the Oklahoma State Department of Health. The approval of this regulation by EPA does not affect in any way EPA's authority to enforce NESHAP regulations.

Because EPA considers today's action to be noncontroversial and routine, we are approving it today without prior proposal. The action will become effective on October 14, 1983. However, if we receive notice within 30 days that someone wishes to submit critical comments, then EPA will publish: (1) A notice that withdraws the action, and (2) a notice that begins a new rulemaking by proposing the action and establishing a comment period.

Under 307(b)(1) of the Act, petitions for judicial review of this action must be

filed in the United States Court of Appeals for the appropriate circuit by October 14, 1983. This action may not be challenged later in proceedings to enforce its requirements. (See 306(b)(2)).

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under 5 U.S.C. Section 605(b), I have certified that SIP approvals do not have a significant economic impact on a substantial number of small entities.

Incorporation by reference of the SIP for the State of Oklahoma was approved by the Director of the Federal Register on July 1, 1982.

This notice of final rulemaking is issued under the authority of Section 110 of the Clean Air Act, as amended, 42 U.S.C. 7410.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Dated: August 4, 1983.

William D. Ruckelshaus,
Administrator.

PART 52—[AMENDED]

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart LL—Oklahoma

1. Section 52.1920 is amended by adding paragraph (c)(27) as follows:

§ 52.1920 Identification of plan.

(27) Revision to Oklahoma Regulation 3.8 (Control of Emission of Hazardous Air Contaminants) submitted by the Governor on February 8, 1983.

[FR Doc. 83-21911 Filed 8-12-83; 8:45 am]

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40 CFR Part 52

[A-6-FRL 2413-4]

Approval and Promulgation of Air Quality Implementation Plans; Texas Revisions to Regulation VI for Permit Fees

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action approves revisions to the Texas State Implementation Plan (SIP) which were submitted by the Governor on May 13,